

Congress of the United States

Washington, DC 20510

June 2, 2022

Secretary Deb Haaland
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Director Amanda Lefton
Bureau of Ocean Energy Management
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Haaland and Director Lefton,

We, the undersigned representatives of the State of Texas, commend the Department of Interior for its work to expand offshore wind leasing opportunities in the Gulf of Mexico in furtherance of the Biden administration’s goal of deploying 30 gigawatts of offshore wind energy by 2030, and creating tens of thousands of good-paying, union jobs.¹ We are calling on the Department to take a leadership role in ensuring that these projects truly spur the creation of “well-paying *union* jobs,” as directed in Executive Order 14008.² To do this, the Department must *require* that all development in connection with the lease areas be done with union labor, under a project labor agreement (PLA), and that economic and social benefits of the projects are directed back to the communities most impacted by climate change and the transition to renewable energy via Community Workforce Agreements. In addition, all vessels used in support of lease development should be compliant with the Jones Act.

The Department of Interior, through BOEM, has an opportunity to realize President Biden’s commitment to “investing and building a clean energy economy that creates well-paying union jobs.”³ To ensure that the projects in the Gulf are actually built union, where barriers to union organizing at the state level keep unionization rates at nearly one third of the national rate,⁴ BOEM should require developers and their contractors to sign PLAs as a binding condition of its

1 The White House, *Fact Sheet: Biden Administration Jumpstarts Offshore Wind Energy Projects to Create Jobs*, Mar. 29, 2021, available at: <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/29/fact-sheet-biden-administration-jumpstarts-offshore-wind-energy-projects-to-create-jobs/>.

2 Exec. Order No. 14008, *Tackling the Climate Crisis at Home and Abroad*, 86 FR 7619 § 201 (2021) (emphasis added).

3 *Id.* at § 219.

leases. The lease terms for the Gulf of Mexico should not merely require leaseholders to “make every reasonable effort to enter a Project Labor Agreement.”⁵ Instead, they should *require* all leaseholders to negotiate the terms of and enter into PLAs covering all construction work on the project and ensure that all operations and maintenance work on the project are also well-paying, union jobs. In addition, compliance with the Jones Act for vessels in support of this development should be *required*.

Offshore wind development in the Gulf must be done responsibly in a way that ensures the most marginalized communities are not only considered, but also uplifted, through programs that pass along opportunities and benefits to those impacted by climate change. Through EO 14008, President Biden directed federal agencies to “deliver environmental justice in communities all across America,” specifically by spurring economic opportunities for “disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care.”⁶ This is especially vital in Texas, where there are lower unionization rates, lower wages, lack of benefits, rising income inequality, and a higher proportion of immigrant workers and workers of color than in comparable states in the Midwest and Northeast.⁷ Many workers in Texas also miss out on chances for career growth, as few construction workers have formal training through workforce development, pre-apprenticeship, and apprenticeship programs.⁸

In addition to requiring that vessels involved in offshore wind generation lease development evidence compliance with the Jones Act, the Department should use a multiple-factor auction process for the Gulf of Mexico to reward bidders who will create economic opportunities for disadvantaged communities by signing Community Workforce Agreements (“CWAs”). A CWA consists of a project labor agreement that includes a targeted hire provision designed to get low-income workers into construction careers.⁹ By doing so, it uplifts communities historically left

4 In Texas, only 3.8% of workers are members of unions, as compared to 10.2% of workers nationwide. Source: Bureau of Labor Statistics, *Union Members in Texas – 2021*, available at: https://www.bls.gov/regions/southwest/news-release/unionmembership_texas.htm#:~:text=In%202021%2C%20union%20members%20accounted,of%20Labor%20Statistics%20reported%20today.

5 See e.g., terms of NY Bight Commercial Lease OCS-A 0537, Addendum C, Section 6, available at: <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/OCS-A%200537%20Lease.pdf>; Carolina Long Bay Commercial Lease OCS-A 0545, Addendum C, Section 6, available at: <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/Lease-Package-OCS-A-0545.pdf>.

6 Exec. Order No. 14008, Tackling the Climate Crisis at Home and Abroad, 86 FR 7619 § 219.

7 Dr. Nik Theodore, et. al., *Build a Better South: Construction Working Conditions in the Southern US* p. 2 (2017), available at <https://www.forworkingfamilies.org/sites/default/files/publications/BBS%20Full%20Report.pdf> (Reporting that a majority of construction workers surveyed in six major Southern cities, including Dallas and Houston, earned less than \$15 per hour, and more than one third struggled to pay for basic necessities such as rent or food, despite the vast majority—82%—working overtime).

8 *Id.* at 34 (finding that only 18% of construction workers studied had any kind of formal training).

9 For a discussion of CWAs, see Building and Construction Trades Council, AFL-CIO, *Community Workforce Agreements* (2010), available at: <https://www.forworkingfamilies.org/sites/default/files/publications/>

out of these higher-paying jobs, and ensures that they benefit from the new developments and have a democratic voice at work. Requiring a CWA for offshore wind projects is an ideal means of implementing the directive in Executive Order 14008 to “secure environmental justice and spur economic opportunity for disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care.”¹⁰ Further, the Department can use the leasing process to incentivize participation in robust training programs that will truly uplift workers by giving them the skills to succeed in higher-wage, higher-skilled careers. In so doing, the Department will be furthering the President’s goals of “turning disadvantaged communities — historically marginalized and overburdened — into healthy, thriving communities, and undertaking robust actions to mitigate climate change.”¹¹

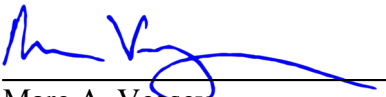
We represent the communities most impacted by the proposed developments, and we urge you to ensure that the Gulf Coast projects provide high quality union jobs with opportunities for advancement and reinvestment in the local communities.

Thank you for your consideration of these comments from representatives of the State of Texas.

Respectfully,



Sylvia R. Garcia
Member of Congress



Marc A. Veasey
Member of Congress



Al Green
Member of Congress

[2010 CWA Guide 0.pdf](#).

¹⁰ Exec. Order No. 14008, 86 FR 7619 at § 219.

¹¹ *Id.*



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